

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Saenger et al.  
Serial No.: 10/666,564  
For: A CLOSED AIR GAP INTERCONNECT STRUCTURE  
Filed: September 19, 2003  
Examiner: Alexander O. Williams  
Art Unit: 2826  
Confirmation No.: 5537  
Customer No.: 51378 Attorney Docket No.: YOR920030274US1

Mail Stop Petitions  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Office of Petitions

**PETITION FOR REVIVAL OF PATENT APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Dear Sir:

The above-identified application became abandoned for failure to timely file the **Issue Fee** in reply to the **Notice of Allowance and Issue Fee Due** mailed on **May 29, 2007** which sets a **three (3)** month period for reply. The abandonment date of this application is **August 29, 2007**.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

NOTE: A grantable petition requires the following items:  
(1) Petition fee;  
(2) Reply and/or Issue Fee;  
(3) Statement that the entire delay was unintentional.

1. Petition fee

     Small entity - fee \$665.00 (37 CFR §1.17(m))  
                         Small entity statement enclosed herewith.  
                         Small entity statement previously filed.

  X   Other than small entity - fee \$1,500.00 (37 C.F.R. §1.17(m))

2. Reply and/or Fee

A. The reply **Issue Fee** to the above-noted Office Action in the form of  
         **Issue Fee** (identify type of reply):  
         has been filed previously on                     .  
      XX   are enclosed herewith.

B. A firm check for              covering the following fees:

- (1) \$ 1,700.00 Issue Fee
- (2) \$              for 10 advance copies of the patent; extension fee
- (3) \$ 1,500.00 petition fee.

     has been paid previously on                       
  XXX   is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d) of \$              for a small entity or \$              for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Verified Statement

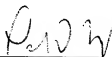
Applicant hereby states that the entire delay in payment of the four hundred seventy dollar (\$470) required issue fee from April 14, 2003 until the filing of this petition under 37 CFR 1.137(b) was unintentional.

Applicant hereby declares that all statements made herewith of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**XXX** The Commissioner is hereby authorized to charge the fee of **\$3,200.00** and any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or credit any overpayment, to **Deposit Account No. 50-0510** in the name of International Business Corporation.

September 21, 2007

Date



Paul D. Greeley  
Attorney for Applicant(s)  
Registration No. 31,019  
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Telephone: (203) 327-4500  
Telefax: (203) 327-6401

# **PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together

with applicable fee(s), to: **Mail**

**Mail Stop ISSUANCE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
(703) 746-4000**

or **Fax**

**INSTRUCTIONS:** This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

**CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)**

7590 05/29/2007

Paul D. Greeley, Esq

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

10th Floor

One Landmark Square

Stamford, CT 06901-2682

**Note:** A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop **ISSUE FEE** address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,564	09/19/2003	Katherine L. Saenger	YOR920030274US1	5537

**TITLE OF INVENTION:** METHOD OF FORMING CLOSED AIR GAP INTERCONNECTS AND STRUCTURES FORMED THEREBY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	08/29/07
EXAMINER		ART UNIT	CLASS-SUBCLASS		
WILLIAMS, ALEXANDER O		2826	257-750000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev. 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Ohlandt, Greeley, Ruggiero

2 & Perle, L.L.P.

3 Daniel P. Morris, Esq.

IBM Corporation

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

International Business Machines Corporation

Armonk, New York

Please check the appropriate assignee category or categories (will not be printed on the patent):

☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0510 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Paul D. Greeley

Date June 24, 2007

Typed or printed name

Registration No. 31,019

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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AND STRUCTURES FORMED THEREOF  
Filing Date: September 19, 2003  
Examiner: Alexander O. Williams  
Art Unit: 2826  
Confirmation No.: 5537  
Customer No.: 27,623

Attorney Docket No.: YOR90030274US1

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO REVIVE UNDER 37 CFR 1.137**

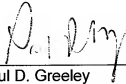
Dear Sir:

Applicants respectfully submit the following petition to revive U.S. Patent Application Serial No. 10/666,564 for the failure to timely pay the Issue Fee. Applicants respectfully submit that the entire delay in filing the required reply, from the due date for the reply until the filing of the present petition pursuant to 37 CFR 1.137(b), was unintentional.

The payment of the Issue Fee is attached herein. The appropriate fee set forth in §1.17(m) for filing this petition is also attached.

Respectfully submitted,

September 21, 2007



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